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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/627,760	07/28/2003	Guy Mantelet	P06434US01/RFH	4428
881 7590 03/30/2007 STITES & HARBISON PLLC 1199 NORTH FAIRFAX STREET SUITE 900 ALEXANDRIA, VA 22314			EXAMINER TSE, YOUNG TOI	
			ART UNIT	PAPER NUMBER
			2611	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		03/30/2007	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

## Office Action Summary

Application No.

10/627,760

Applicant(s)

MANTELET ET AL.

Examiner

YOUNG T. TSE

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application:
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 3-9 and 12-18 is/are rejected.
- 7) ☒ Claim(s) 1, 2, 10 and 11 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Specification***

1. The disclosure is objected to because of the following informalities: paragraph [0086], line 1, "When" should be "In Fig. 4b, when"; paragraph [0087], line 1, "When" should be "In Fig. 4c, when"; paragraph [0088], line 1, "When" should be "In Fig. 4d, when"; and paragraph [0089], line 1, "When" should be "In Fig. 4e, when". Appropriate correction is required.

### ***Claim Objections***

2. Claims 1-18 are objected to because of the following informalities:

In claim 1, lines 6 and 23, "said flow" should be "said series flow"; line 6, "bits in" should be "bits, in"; lines 10-11, "a first a(k) encoded value and a second b(k) value, a set of these" should be "a first encoded value a(k) and a second encoded value b(k), a set of the"; and line 17, "said packet" should be "said packet of encoded symbols".

In claim 2, line 10, "said encoded symbols" should be "said packet of encoded symbols"; line 12, "rank on" should be "rank, on"; line 13, "value of a received packet," should be "value,"; line 16, "said symbols" should be "said packet of encoded symbols"; line 18, before the word "subjecting", insert "d"; and line 21, "of successive" should be "of said successive".

In claim 7, line 2, the word "stable" is misspelled; lines 9 and 10, "the encoded symbol packet" and "the receiving of the packet" should be "the packet of encoded

symbols” and “the reception of the packet of encoded symbols”, respectively; line 13, “value of the received packet,” should be “value,”; line 16, “said symbols” should be “said packet of encoded symbols”; lines 18-19, “said pause symbols and said” should be “said successive pause symbols and”; and line 21, “of successive” should be “of said successive”.

In claim 10, line 2, “bits of” should be “bits of a”; line 5, “discriminating in said series flow a set” should be “discriminating, in said series flow, a set”; lines 9-10, “a first a(k) encoded value and a second b(k) encoded value” should be “a first encoded value a(k) and a second encoded value b(k); line 11, “a{(k); b(k)}” should be “{a(k); b(k)}”; line 13, “symbols by” should be “symbols, by a”; line 16, “said packet” should be “said packet of encoded symbols”; and line 22, “said flow” should be “said series flow”.

In claim 11, line 5, “said packet” should be “said packet of encoded symbols”; line 10, “said encoded symbols” should be “said packet of encoded symbols”; line 16, “said symbols” should be “said packet of encoded symbols”; line 18, the word “validated” should be deleted; and line 21, “of successive” should be “of said successive”.

In claim 16, line 2, the word “starting” is misspelled; line 5, “the packet” should be “the packet of encoded symbols”; lines 8-10, replace them with “the packet length, said envelope logic signal having a first binary value prior the start, and subsequently at the end of the packet of encoded symbols and a second binary value during the reception of the packet of encoded symbols.”; line 16, “said symbols” should be “said packet of encoded symbols”; line 18, “said pause” should be “said successive pause”; line 21, the

term "to be obtained" should be deleted; and line 21, "of successive" should be "of said successive".

In claim 18, line 1, "wherein said" should be "wherein each of said" and line 2, "comprise" should be "comprises".

The dependent claims 3-6 depend upon the objected independent claim 2.

The dependent claims 8 and 9 depend upon the objected independent claim 7.

The dependent claims 12-15 depend upon the objected independent claim 11.

The dependent claim 17 depends upon the objected independent claim 16.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 3-6 and 12-15 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The claimed subject matter of claims 3-6 and 12-15 does not correspond to the disclosure of Figures 4b to 4e which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly

connected, to make and/or use the invention. Specifically, the specification fails to describe the values 1 and 0 used in the logic gate(s) of Figures 4b to 4e to enable one skilled in the art to understand to invention.

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 7-9 and 16-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In line 7 of both claims 7 and 16, the term "said current packet" lacks antecedent basis. Wherein the dependent claims 8 and 9 depend upon the rejected independent claim 7 and the dependent claims 17 and 18 depend upon the rejected independent claim 16.

***Allowable Subject Matter***

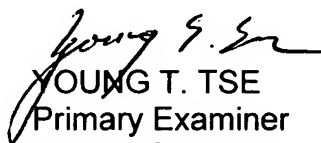
7. Claims 1-2, 7-11 and 16-18 would be allowable if rewritten or amended to overcome the objection(s) set forth in this Office action.

8. Claims 7-9 and 16-18 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to YOUNG T. TSE whose telephone number is (571) 272-3051. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay Patel can be reached on (571) 272-2988. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
YOUNG T. TSE  
Primary Examiner  
Art Unit 2611